



I caused to be served on **April 22, 2008**, the following documents:

**NOTICE OF MOTION AND MOTION TO STRIKE EVIDENCE SUBMITTED BY  
DEFENDANTS WITH THEIR REPLY IN SUPPORT OF THEIR MOTION TO  
DISMISS; POINTS AND AUTHORITIES IN SUPPORT THEREOF**

on the interested parties in this action through their attorneys, as stated below, who have agreed to accept electronic service in this matter, by electronically filing and serving said documents via the Court's CM/ECF electronic filing server:

HARVEY M. MOORE  
BIDNA & KEYS, APLC  
[hmoore@bidnakeys.com](mailto:hmoore@bidnakeys.com)

David J. Kaminski  
Carlson & Messer  
[kaminskid@cmtlaw.com](mailto:kaminskd@cmtlaw.com)

Jonathan Andrews Boynton  
Kirby Noonan Lance and Hoge  
[jboynton@knlh.com](mailto:jboynton@knlh.com)

Ronald R. Giusso  
Maria Roberts  
Shea Stokes Roberts & Wagner  
[rgiusso@sheastokes.com](mailto:rgiusso@sheastokes.com)  
[mroberts@sheastokes.com](mailto:mroberts@sheastokes.com)

DEBBIE P. KIRKPATRICK  
Sessions, Fishman, Nathan and Israel  
In California, L.L.P.  
[dkirkpatrick@sessions-law.biz](mailto:dkirkpatrick@sessions-law.biz)

Tom Roddy Normandin  
Prenovost Normandin Bergh and Dawe  
[TNormandin@pnbd.com](mailto:TNormandin@pnbd.com)

DAVID ISRAEL  
BRYAN C. SHARTLE  
SESSIONS, FISHMAN, NATHAN,  
& ISRAEL L.L.P.  
[disrael@sessions-law.biz](mailto:disrael@sessions-law.biz)  
[bshartle@sessions-law.biz](mailto:bshartle@sessions-law.biz)

Mark Ellis; Andrew Steinheimer  
Ellis, Coleman, Poirier, LaVoie &  
Steinheimer, LLP  
[mellis@ecplslaw.com](mailto:mellis@ecplslaw.com)  
[asteinheimer@ecplslaw.com](mailto:asteinheimer@ecplslaw.com)

By first class United States Mail to:

Ansis Viksnins  
Lindquist and Vennum  
4200 IDS Center  
80 South 8<sup>th</sup> Street  
Minneapolis, Minnesota 55402

I declare under penalty of perjury, under the laws of the State of California and the laws of the United States, that the foregoing is true and correct and that this declaration was executed on April 22, 2008 at San Diego, California.

By: /s/ Chad Austin  
CHAD AUSTIN, Esq.  
Attorney for Plaintiff, James M. Kinder  
Email: [chadaustin@cox.net](mailto:chadaustin@cox.net)